

April 30, 2015

**VIA MAIL**

Attorney General Tom Miller  
Office of the Attorney General of Iowa  
Director of the Consumer Protection Division  
Hoover State Office Building  
1305 E. Walnut Street  
Des Moines, IA 50319

RECEIVED  
15 MAY -6 AM 11:49  
CONSUMER PROTECTION DIV.

Dear General Miller,

I am writing on behalf of my client Hard Rock Hotel & Casino Las Vegas to inform you of a payment card security incident that recently impacted the company.

On April 2nd, Hard Rock Hotel & Casino Las Vegas became aware of a potential security issue involving the systems used for credit card payments in some of its restaurants, bars and retail outlets. The company immediately engaged outside information security experts to investigate and implemented additional security measures. Malware was discovered on a point of sale server on April 3rd, though the investigation indicates that the intrusion was actually contained on April 2nd due to proactive precautionary measures taken by Hard Rock Hotel.

The sophisticated malware used in the attack may have allowed criminal hackers to steal information related to credit or debit cards used at certain Hard Rock Hotel & Casino Las Vegas retail and service locations between September 3, 2014 and April 2, 2015, including names, card numbers, and CVV codes. No PIN numbers or other sensitive customer information was affected. There is not enough information available to confirm how much, if any, data was actually exfiltrated.

Approximately 173,000 unique payment cards were used at the affected locations during the affected time period. Unfortunately, determining conclusively how many residents of Iowa were affected is not possible because the only information available about these transactions is cardholder name and partial card number. Therefore, Hard Rock Hotel will primarily utilize substitute notice through the company's website and statewide media outlets.

The outside security experts contacted law enforcement shortly after the breach was discovered. The FBI Las Vegas field office asked the Hard Rock Hotel to delay notification regarding this incident to allow the agency time to investigate. The FBI has informed the company that notification can proceed without negatively impacting the agency's investigation.

Hard Rock Hotel is attempting to match cardholder information it has with loyalty program or other information that may allow the identification and direct notification of affected individuals. This effort is ongoing and Hard Rock Hotel will directly notify any individuals it can identify.

To protect customers, Hard Rock Hotel is offering one year of Experian identity protection services to potentially affected customers, at no cost to the customer, in order to safeguard against misuse of card information.

Please find attached a copy of the notification that will be posted on Hard Rock Hotel's website and sent directly to identified individuals.

Hard Rock Hotel has taken and is taking a number of steps to help prevent future unlawful intrusions. These measures include:

- Cooperating with law enforcement to identify and prosecute the criminal attackers
- Working with payment card companies to identify and address fraudulent transactions
- Continuing to improve security controls, including planned deployment of chip-and-pin and tokenization

Please let me know if you have any questions regarding this unfortunate criminal attack.

Sincerely,



Andy Roth  
Partner

Attachment



**LAS VEGAS**

[INDIVIDUAL NAME]  
[STREET ADDRESS]  
[CITY, STATE AND POSTAL CODE]

May 1, 2015

Dear [INDIVIDUAL NAME]:

The trust and loyalty of our customers is our highest priority, which is why, as a precautionary measure, we are writing to let you know of a security incident that may have affected your credit card information.

This incident may have allowed criminal hackers access to information about credit or debit cards used at certain Hard Rock Hotel & Casino Las Vegas retail and service locations. The information potentially affected includes names, card numbers, and CVV codes, but does not include PIN numbers or other sensitive customer information.

This criminal attack was limited to credit or debit card transactions between September 3rd, 2014 and April 2nd, 2015 at restaurant, bar and retail locations at the Hard Rock Hotel Las Vegas property, including the Culinary Dropout Restaurant. The attack did not affect transactions at the hotel, casino, Nobu, Affliction, John Varvatos, Rocks, Hart & Huntington Tattoo or Reliquary Spa & Salon.

Please review your credit and debit card statements and report any suspicious activity to your bank. Note that customers usually have no liability for unauthorized charges that are reported in a timely manner.

More information regarding this unfortunate incident is available on our website, at <http://www.hardrockhotel.com/statement>.

**What we are doing to protect your information:**

To help protect your identity, we have engaged Experian®, the largest credit bureau in the US, to offer you complimentary Fraud Resolution and identity protection for one-year .

While Fraud Resolution assistance is immediately available to you, we also encourage you activate the fraud detection tools available through ProtectMyID® Elite. This product provides you with superior identity protection and resolution of identity theft. To start monitoring your personal information please follow the steps below:

1. Email [hardrockhotel@protectmyid.com](mailto:hardrockhotel@protectmyid.com) to request an activation code
2. After receiving your code, activate ProtectMyID® Elite at [www.protectmyid.com/protect](http://www.protectmyid.com/protect)

If you have questions or need an alternative to enrolling online, please call 888-829-6551 and provide Engagement #: PC93826.



## ADDITIONAL DETAILS REGARDING YOUR 12-MONTH PROTECTMYID MEMBERSHIP:

A credit card is **not** required for enrollment.

You can contact Experian **immediately** regarding any fraud issues, and have access to the following features once you initiate ProtectMyID:

- **Experian credit report:** See what information is associated with your credit file.
- **Active Surveillance Alerts:** Monitors the Experian file for indicators of fraud.
- **Internet Scan:** Alerts you if your information is found on sites containing compromised data.
- **Address Change Alerts:** Alerts you of changes to your mailing address
- **Fraud Resolution:** Identity Theft Resolution agents are immediately available to help you address credit and non-credit related fraud.
- **ExtendCARE:** You receive the same high-level of Fraud Resolution support even after your ProtectMyID membership has expired.
- **\$1 Million Identity Theft Insurance\*:** Provides coverage for certain costs and unauthorized electronic fund transfers.
- **Lost Wallet Protection:** Get help replacing credit, debit, and medical insurance cards.

Integrate your ProtectMyID membership with the BillGuard app for FREE and receive:

- **Card Fraud Monitoring:** Alerts you when your credit/debit cards are used.
- **Card Concierge:** Resolve billing inquiries and disputes with merchants

If you have any questions about ProtectMyID, need help understanding something on your credit report or suspect that an item on your credit report may be fraudulent, please contact Experian's customer care team at 888-829-6551.

**What you can do to protect your information:** There are additional actions you can consider taking to reduce the chances of identity theft or fraud on your account(s). Please refer to the final page of this letter.

We sincerely apologize for this incident, regret any inconvenience it may cause you and encourage you to take advantage of the product outlined herein. Should you have questions or concerns regarding this matter and/or the protections available to you, please do not hesitate to contact us at 888-829-6551.

Sincerely,



Jody Lake  
Chief Operating Officer  
Hard Rock Hotel & Casino Las Vegas

## State Notification Requirements

### All States.

You may obtain a copy of your credit report or request information on how to place a fraud alert or security freeze by contacting any of the national credit bureaus below. It is recommended that you remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and monitoring your credit report for unauthorized activity.

Equifax  
P.O. Box 740241  
Atlanta, GA 30374  
1-800-685-1111  
www.equifax.com

Experian  
P.O. Box 2104  
Allen, TX 75013  
1-888-397-3742  
www.experian.com

TransUnion  
P.O. Box 2000  
1-800-888-4213  
Chester, PA 19022  
www.transunion.com

### For residents of Massachusetts.

It is required by state law that you are informed of your right to obtain a police report if you are a victim of identity theft.

### For residents of Massachusetts and West Virginia.

You also have the right to place a security freeze on your credit report by contacting any of the credit bureaus listed at above. A security freeze is intended to prevent credit, loans and services from being approved in your name without your consent.

To place a security freeze on your credit report, you may be able to use an online process, an automated telephone line or a written request. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy be legible, display your name and current mailing address, and the date of

issue. The consumer reporting agency may charge a fee of up to \$5.00 to place a freeze or lift or remove a freeze and free if you are a victim of identity theft or the spouse of a victim of identity theft, and you have submitted a valid police report relating to the identity theft incident to the consumer reporting agency.

### For residents of Iowa, Maryland, Michigan, Missouri, North Carolina, Oregon, and West Virginia.

It is required by state laws to inform you that you may obtain a copy of your credit report, free of charge, whether or not you suspect any unauthorized activity on your account.

### For residents of Iowa.

State law advises you to report any suspected identity theft to law enforcement or to the Attorney General.

### For residents of Oregon.

State laws advise you to report any suspected identity theft to law enforcement, as well as the Federal Trade Commission.

### For residents of Illinois, Maryland and North Carolina.

You can obtain information from the Federal Trade Commission, and for residents of Maryland and North Carolina, from your respective state Office of the Attorney General, about steps you can take toward preventing identity theft.

Federal Trade Commission  
Consumer Response Center  
600 Pennsylvania Avenue, NW  
Washington, DC 20580  
1-877-IDTHEFT (438-4338)

Maryland Office of the Attorney General  
Consumer Protection Division  
200 St. Paul Place  
Baltimore, MD 21202  
1-888-743-0023  
www.oag.state.md.us

North Carolina Office of the Attorney General  
Consumer Protection Division  
9001 Mail Service Center  
Raleigh, NC 27699-9001  
1-877-566-7226  
www.ncdoj.com